

WASHINGTON DEPARTMENT OF ECOLOGY
Agricultural Burning Rule Advisory Committee Meeting
February 10, 2006 10:00 – 4:00
Washington Department of Transportation, Spokane Office

SUMMARY

In attendance

Larry Cochran	WA Conservation Districts	<u>Staff</u>	
Bob Gore	Department of Agriculture	Melissa McEachron	Ecology
Michael Ingham	Alfalfa Seed Growers	Lori Isenberg	facilitator
Michael Bush	WSU- Extension		
Jay Penner	Wheat Growers		
Dave Lauer	Clean Air Authorities (BCAA)		
Grant Pfeifer	Department of Ecology		
Tim Conner	Save Our Summers		
Bill Johnston	WSU- Crop & Soil Sciences		
Sverre Vedal MD	Environmental and Occupational Health		
Jeff Schibel	Irrigated Community		
Cindy Thompson	American Lung Association		
John Cornwall	Grass Growers		

Assignments

- Melissa will provide Jay with bullet points on key recommendations on Monday.
- Melissa will provide the revised edits (per the discussions at this meeting) to the committee members by the end of the month.
- Committee members are encouraged to let Melissa know (by the middle of March) if they see any typos or grammatical errors in the document.
- Committee members should also let Melissa know if they hear serious concerns regarding the proposed changes.

Opening

Lori Isenberg welcomed the group and gave a brief overview of the purpose and agenda of the meeting.

Follow-up on Work from January meeting

The group revisited how to define an agricultural operation. Bob Gore provided the definition of "small farm" USDA uses. The group discussed the definition and how well it related to the purpose of the agricultural burning program and decided to:

- Maintain current language (Schedule F) and add "or its corporate equivalent" as the way to substantiate what is a farm; drop land designation wording.

Conclude work on the 040 section

The group went through the revisions as presented by Ecology and made a number of recommended changes which are briefly noted here:

- Add verbiage from Dave to the end of (b)(i). regarding AQI's.
- Add a new "e" to page 2: ecology and/or LAA's may at their discretion evaluate emissions, dispersions and impacts in its normal course of business.

Cathy distributed two documents for discussion: *Significant Legislative Rules* and *The Regulatory Fairness Act*. She explained her first step is to determine how the proposed changes to the rules might impact the affected businesses. She explained the cost and benefit analysis is both quantitative and qualitative.

Some points of the discussion are noted below.

- Committee members expressed concern about how and from whom Cathy would be collecting data. It was suggested she should use the permit list.
- Cathy encouraged the committee members to email her their thoughts on sources. The cost/benefit analysis is preliminary. During the comment period they may need to review some of the material.
- Will the health study be part of the economic study? If the health study is going to change something it will be included.
- Cathy will adjust the economic study if something comes up during public comment.

Cathy agreed to check with the AG to clarify if the study is based on existing or pre-rule. She will communicate the answer to the committee through Melissa.

Notification and Education

The group agreed unanimously that the Notification and Education components identified at the January meeting do not need to be put in the WAC.

A majority of the group (8 out of 13) agreed it would be appropriate to add the following sentence to the Purpose (010) section: Provide for education and communication.

Transition Strategy

Melissa handed out two documents which explained some of Ecology's rule-making procedures. The group discussed how many and where the public hearings should be held. The following potential locations were identified:

- Pullman / Colfax
- Walla Walla
- Yakima
- Spokane
- Moses Lake

In addition to attending a hearing, the public may submit comments via email or regular mail.

The group then moved to discuss how they would communicate the results of the work of the committee to their respective groups. The following general guideline was developed:

Why: (What was the purpose?)

- To institutionalize a program that is working.
- To satisfy requirements of the Settlement Agreement
- To satisfy requirements of the Administrative Procedures Act.

What: Melissa will provide both bullet points on the proposed changes as well as the actual document.

Who: Rule Advisory Committee which included representations from the stakeholder groups and the Ag Task Force. Committee members can refer to their membership list.

How: The group used an iterative process that included the following steps:

- Discussion among the committee members and Ecology regarding specific topics, as well as how any proposed changes to the rules might impact the growers and agencies.
- Ecology would develop draft language based on the discussions.
- The committee would review and provide feedback on the draft language.

Wrap-up

Melissa and Grant thanked the committee for their dedication to the process and congratulated them on their success. Other committee members also had positive comments. Tim commented that he thought the process worked well and that SOS would support the items proposed by the committee. Mike Ingham and Jay Penner also thought their groups would support the changes to the regulation.